

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ANTHONY DAVID TEAGUE, #1976916

VS.

DIRECTOR, TDCJ-CID

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CIVIL ACTION NO. 4:16cv814

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Kimberly C. Priest Johnson, who issued a Report and Recommendation concluding that the petition for writ of habeas corpus should be denied and the case dismissed with prejudice. Petitioner filed objections. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. After reviewing the Report and Recommendation and conducting a *de novo* review of Petitioner's objections, the Court concludes the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court.

Many of Petitioner's objections are simply reassertions of arguments he previously raised. For example, Petitioner reasserts that he raised the issue of prosecutorial misconduct before the Texas Court of Criminal Appeals; that the Magistrate Judge "repeats the errors of the state court" in respect to his erroneous jury charge issue; and that the Magistrate Judge erroneously shifted the burden of his improper jury selection issue to him. Dkt. # 56. The Magistrate Judge addressed each of these issues in the Report and concluded they provided no grounds for relief. In sum, Petitioner

fails to provide a valid basis for his objections, or demonstrate how the Magistrate Judge's recommendation is incorrect.

Accordingly, it is **ORDERED** the petition for writ of habeas corpus is **DENIED**, and the case is **DISMISSED** with prejudice. A certificate of appealability is **DENIED**. It is further **ORDERED** all motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 27th day of January, 2020.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE